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SIPDIS

S/WCI FOR JVIBUL-JULES, EUR/ERA WLUCAS, EUR/CE JAMIE LAMORE

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SUBJECT: HUNGARY'S "SILENT SUPPORT" ON GUANTANAMO DETAINEES

Classified By: A/DCM Michael Hurley, reasons 1.4 (b and d)

11. (C) SUMMARY. Ambassador Clint Williamson visited Budapest February 13 and met with Foreign Minister Kinga Goncz, other MFA and Justice Ministry Officials, and the Prime Minister's Security and Foreign Policy Advisor Karoly Banai to discuss detainee issues, the GOH's role in the EU process, and resettlement of Guantanamo detainees. Providing an overview of the 24 most-likely detainees transferable to EU countries, Ambassador Williamson outlined the USG plans related to closing Guantanamo by January 2010. Minister Goncz and the other Hungarian representatives underscored Hungary's positive attitude on the issue, stating that while there are still issues to be resolved, "you can return home with a positive message from Hungary." While noting a need for EU action, the Foreign Minister stated Hungary does not need it to act and Banai added that Hungary is "ready to contribute to the process and open to considering accepting detainees." END SUMMARY.

12. (SBU) Ambassador-at-large for War Crimes Issues Clint Williamson visited Budapest February 13 and, with Ambassador Foley, briefed Hungarian Foreign Minister Kiga Goncz, MFA State Secretary Laszlo Varkonyi, Justice Ministry State Secretary Judit Fazekas, and the Prime Minister's Foreign Policy Advisor Karoly Banai on USG plans related to the closing of the Guantanamo detention center and resettlement of Guantanamo detainees.

"SILENT" POLITICAL SUPPORT

13. (C) Meeting first with Foreign Minister Goncz, Ambassador Williamson emphasized that Guantanamo is a top priority for the new Administration and provided an overview of the multi-agency process underway to review detainees' files in order to determine eligibility for release, transfer or further legal proceedings. Noting the President's directive to close Guantanamo by January 22, 2010, Ambassador Williamson underscored the need for early decisions on accepting detainees. The Foreign Minister expressed Hungary's interest to seriously consider accepting detainees. However, responding to Ambassador Foley's question as to whether this is a "political yes" from the Government, Minister Goncz said that would be too strong a statement as there are still legal issues to be resolved, but there could be "silent support." Continuing, Goncz said that while EU action is needed on the issue, she believes Hungary does not need it to act.

14. (C) In his joint meeting with MFA State Secretary Varkonyi and Justice Ministry State Secretary Fazekas, Ambassador Williamson began by acknowledging concerns raised by other EU governments over the issue of potential unfettered travel by former detainees throughout the Schengen zone. Outlining details of the U.S. way-forward concerning potential

candidates for acceptance by EU countries, the Ambassador focused on the 24 detainees in the lowest threat category - 17 Uighurs, a Palestinian, 2 Egyptians and 4 Uzbeks - who cannot be returned to their home country because of human rights concerns. Noting that some EU members favor accepting detainees while others are unwilling, Ambassador Williamson highlighted the upcoming EU Justice and Home Affairs meeting on February 26 as an important milestone in the process. He underscored the U.S. concerns that a "no" by some does not block the EU process for those willing to help, and he solicited Hungary's thoughts on ways to avoid such a possibility. MFA EU Department Head Zsolt Pataki responded that the attitude at the January GAERC was very positive, even for those not willing to accept detainees, but he cautioned that "legal issues" have yet to be addressed. He said the February 26 meeting is also very important for Hungary and they are "hopeful for consensus" and ready to study the "legal burdens" they would face by accepting detainees.

15. (C) In response to 14 written questions presented by State Secretary Varkonyi - ranging from overall American objectives, the background and citizenship of the detainees, availability of records on each detainee, any necessity for continued security surveillance, potential financial support from the U.S., to availability of "good practices" - Ambassador Williamson began by explaining the "cleared for release" status of the 24 detainees. While stating that there would be no specific demand concerning continued surveillance - each government would make its own decision based on its own immigration and security requirements - he said that the U.S. is willing to assist Security Services if

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any information arises that former detainees are drifting into potential terrorist-related activities. Additionally, the Ambassador noted that detainee records would be available for review and the Hungarian Government could send representatives to Guantanamo to meet with detainees considered for resettlement, if so desired. Addressing the GOH concerns related to any adverse response concerning acceptance of third country nationals, Ambassador Williamson commented that while China raised objections with the earlier transfer of five Uighurs to Albania, China did not recall its Ambassador or downgrade relations. On the issue of financial support, Ambassador Williamson told Varkonyi that the USG provided assistance to Albania but had not yet discussed the possibility in the context of the EU countries. In previous meetings some interlocutors also raised the possibility that support could come from the European Commission. Additionally, the Ambassador said that he could assist in providing contacts in both Albania and the United Kingdom to discuss their detainee-acceptance lessons learned, if Hungary would find such discussions beneficial.

READY TO CONTRIBUTE

16. (C) Thanking Ambassador Williamson for the "frank and constructive discussion and responses to our questions," (humorously commenting that they were obviously not tough enough), Varkonyi told the Ambassador that the GOH has a positive attitude, would try to find a solution, and while there are still issues to be resolved, "you can return home with a positive message from Hungary" -- one that the Foreign Minister would like to reaffirm during her planned visit at the end of March with Secretary Clinton.

17. (C) In a final meeting with the Prime Minister's Security and Foreign Policy Advisor Karoly Banai, Ambassador Williamson covered the process of assessing each detainee's potential "threat level" and underscored the same message as to the high priority set by the Administration and the need for early decisions, as the clock is ticking. Banai replied that the GOH was "happy to see the decision to close

Guantanamo and, to the extent possible, is "ready to contribute to the process and open to considering accepting detainees." However, noting the "many positive, and some negative" aspects of their experience with the 29 Cuban dissidents accepted in 2007 (Note: only one of the Cuban dissidents remains in Hungary. End note.), Banai highlighted GOH concerns related to Schengen zone travel, stating "we have to answer the questions: 'what happens if new refugees disappear; how can we assure our EU partners; what guarantees can we give to Austria, for example, that we are paying close attention to these new arrivals?'" Despite these technical difficulties, Banai said that the Prime Minister is positively inclined and mandated that the MFA and Security Services look positively at the issue and offer him a decision in the next 2-3 weeks. Banai also noted that Hungary will support positive consideration of the detainee issue at the February 26 EU Justice and Home Affairs meeting, commenting "we want a 'permissive EU decision' so we can reach a mutually acceptable bi-lateral solution." In closing, Banai made reference to the need for discussion with opposition political parties to gain consensus on the issue and asked Ambassador Williamson to "keep us informed on latest developments to help develop our own thinking both domestically and within the EU."

18. (C) Acknowledging at his meetings that the detainee issue is a difficult one for governments, Ambassador Williamson told his interlocutors that Hungary is viewed as a strong friend and ally in Washington and he expressed appreciation for Hungary's willingness to consider accepting detainees and to be an advocate at the EU level. Noting the Administration's concern that those who decide not to accept detainees doesn't translate into an EU decision that blocks bi-lateral efforts, the Ambassador commented that the U.S. will continue bi-lateral discussions in a parallel process with the EU.

19. (U) This cable has been cleared by Ambassador Williamson.
Foley